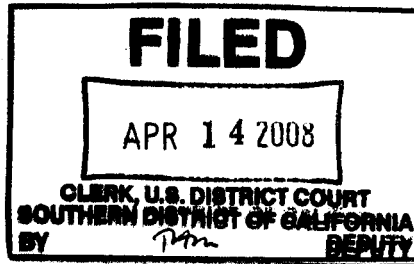


0057



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Juan Fernando PRIETO-Valdez,

Defendant.

Magistrate Case No.:

'08 MJ 83 22

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 12, 2008, within the Southern District of California, defendant Juan Fernando PRIETO-Valdez, did knowingly and intentionally import approximately 22.32 kilograms (49.10 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 14th DAY OF
APRIL 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Juan Fernando PRIETO-Valdez

STATEMENT OF FACTS

This complaint is based on the personal observations, investigation and information provided to Immigration & Customs Enforcement Special Agent Mathew Kelley.

On April 12, 2008, at approximately 2117 hours, Juan Fernando PRIETO-Valdez entered the United States at the Calexico, California, West Port of Entry. PRIETO was the registered owner and sole occupant of a 1998 Toyota Camry. During a pre-primary operation, Canine Enforcement Officer Jones, along with his Narcotic Detector Dog (NDD) screened the vehicle. The NDD alerted to the presence of odor of drugs in the vehicle.

Customs and Border Protection Officer (CBPO) Carp received a negative Customs declaration from PRIETO. PRIETO stated that he had owned the vehicle for approximately six months and that he was on his way to Wal-Mart. During a brief inspection of the vehicle, non-factory compartments were located in the front and rear bumper.

CBPO Smura then escorted PRIETO to the vehicle secondary office. CBPO Carp drove the vehicle to the vehicle secondary lot.

During secondary inspection, discovered was a total of twenty (20) packages concealed within the rear bumper, front bumper, rear quarter panels and front doors. CBPO Carp probed one of the packages producing a green leafy substance, which field-tested positive for marijuana. The 20 packages had a combined net weight of approximately 22.32 kilograms (49.10 pounds).

PRIETO was placed under arrest and advised of his Miranda Rights, which he acknowledged and waived, agreeing to answer questions without an attorney present. PRIETO admitted knowledge of the marijuana concealed within the vehicle and stated that he was going to be paid \$2,500 to cross the marijuana-laden vehicle into the U.S.

1 PRIETO stated that the vehicle was registered in his name on the date prior to his
2 arrest ant that he was to deliver to the drug-laden vehicle to an unknown location in San
3 Diego.